

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TAXATION**

**Call to Order:** By **CHAIRMAN CHASE HIBBARD**, on March 11, 1999 at 8:00 A.M., in Room 437 Capitol.

#### **ROLL CALL**

##### **Members Present:**

Rep. Chase Hibbard, Chairman (R)  
Rep. Kim Gillan, Vice Chairman (D)  
Rep. Bob Story, Vice Chairman (R)  
Rep. Gary Beck (D)  
Rep. Rick Dale (R)  
Rep. Bob Davies (R)  
Rep. Ron Erickson (D)  
Rep. Daniel Fuchs (R)  
Rep. Mary Anne Guggenheim (D)  
Rep. Marian Hanson (R)  
Rep. Hal Harper (D)  
Rep. Dan Harrington (D)  
Rep. John L. Holden (R)  
Rep. Verdell Jackson (R)  
Rep. Scott J. Orr (R)  
Rep. Bob Raney (D)  
Rep. Bill Rehbein (R)  
Rep. Sam Rose (R)  
Rep. Trudi Schmidt (D)  
Rep. Roger Somerville (R)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Donna Grace, Committee Secretary  
Jeff Martin, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: None.

Executive Action:

HB 174 - Discussion  
HB 654 - Do Pass as Amended  
HB 622 - Do Pass as Amended  
HB 630 - Do Pass as Amended  
HB 386 - Table  
HB 651 - Do Pass as Amended  
HB 638 - Do Pass

**EXECUTIVE ACTION ON HB 174**

**Chairman Hibbard** advised that executive action on HB 174 would be postponed until March 18. A sub-committee (Reps. Erickson, Harrington, Holden and Dale) was appointed to discuss how to proceed with the bill.

**{Tape : 1; Side : A; Approx. Time Counter : 1.6}**

**EXECUTIVE ACTION ON HB 654**

**Motion:**

Rep. Story **MOVED DO PASS.**

**{Tape : 1; Side : A; Approx. Time Counter : 22.8}**

**Motion/Vote:**

Rep. Schmidt **MOVED** the amendments. **EXHIBIT**(tah55a01)

**EXHIBIT**(tah55a02) The **MOTION PASSED**, 20 - 0.

**{Tape : 1; Side : A; Approx. Time Counter : 23.2}**

**Discussion:**

**{Tape : 1; Side : A; Approx. Time Counter : 25.2}**

**Motion:**

Rep. Story **MOVED** a conceptual amendment to coordinate with HB 582. The **MOTION PASSED**, 20 - 0.

**{Tape : 2; Side : A; Approx. Time Counter : 1.9}**

Vote:

**The DO PASS AS AMENDED MOTION PASSED, 13 - 7.** Story, Schmidt, Rose, Guggenheim, Jackson, Harrington, Dale, Somerville, Erickson, Beck, Harper, Raney and Hibbard voting yes; Orr, Holden, Rehbein, Davies, Fuchs, Hanson and Gillan voting no.  
**{Tape : 2; Side : A; Approx. Time Counter : 4.7}**

EXECUTIVE ACTION ON HB 622

Motion:

**Rep. Hanson MOVED DO PASS.**  
**{Tape : 2; Side : A; Approx. Time Counter : 5.4}**

Motion:

**Rep. Rehbein MOVED the amendments. EXHIBIT(tah55a03)**  
**{Tape : 2; Side : A; Approx. Time Counter : 22}**

Discussion:

**{Tape : 2; Side : A; Approx. Time Counter : 7.8}**

Vote:

**The MOTION PASSED, 20 - 0.**  
**{Tape : 2; Side : A; Approx. Time Counter : 18}**

Motion/Vote:

**Rep. Harper MOVED a conceptual amendment that would allow the minority leader to appoint members. The MOTION FAILED, 12 - 8.** Story, Orr, Holden, Rose, Jackson, Dale, Somerville, Rehbein, Davies, Fuchs, Hanson and Hibbard voting no; Schmidt, Guggenheim, Harrington, Erickson, Beck, Harper, Raney and Gillan voting yes.  
**{Tape : 2; Side : A; Approx. Time Counter : 19}**

Motion/Vote:

**Rep. Rehbein MOVED an amendment. EXHIBIT(tah55a04)** On a voice vote, the **MOTION PASSED, 18 - 2.** Rose and Gillan voting no.  
**{Tape : 2; Side : A; Approx. Time Counter : 23}**

Vote:

On a voice vote, **the DO PASS AS AMENDED MOTION PASSED.** Orr, Hanson, Raney and Harper voting no.

*{Tape : 2; Side : A; Approx. Time Counter : 28.3}*

**EXECUTIVE ACTION ON HB 651**

**Motion:**

Rep. Hanson MOVED DO PASS. **EXHIBIT**(tah55a05)

*{Tape : 2; Side : B; Approx. Time Counter : 0.1}*

**Discussion:**

*{Tape : 2; Side : B; Approx. Time Counter : 1.1}*

**Motion:**

Rep. Hanson MOVED an amendment to add a coordination clause. The MOTION PASSED, 20 - 0.

*{Tape : 2; Side : B; Approx. Time Counter : 87}*

**Discussion:**

*{Tape : 2; Side : B; Approx. Time Counter : 15}*

**Motion:**

The DO PASS AS AMENDED MOTION PASSED, unanimously.

*{Tape : 2; Side : B; Approx. Time Counter : 28.6}*

**EXECUTIVE ACTION ON HB 386**

**Discussion:**

*{Tape : 3; Side : A; Approx. Time Counter : 0.1}*

**Motion/Vote:**

Rep. Holden MOVED to TABLE HB 386. The MOTION PASSED, 12 - 8.

Story, Schmidt, Holden, Rose, Guggenheim, Harrington, Dale, Erickson, Beck, Harper, Hanson and Hibbard voting yes; Orr, Jackson, Somerville, Rehbein, Davies, Fuchs, Raney and Gillan voting no.

*{Tape : 3; Side : A; Approx. Time Counter : 4.2}*

EXECUTIVE ACTION ON HB 630

Motion:

Rep. Rose MOVED DO PASS.

{Tape : 3; Side : A; Approx. Time Counter : 6}

Discussion:

{Tape : 3; Side : A; Approx. Time Counter : 6.5}

Motion/Vote:

Rep. Story MOVED an amendment. **EXHIBIT**(tah55a06) The motion passed unanimously.

{Tape : 3; Side : A; Approx. Time Counter : 10.2}

Motion/Vote:

Rep. Story MOVED a conceptual amendment to change the fine to \$25. The MOTION FAILED, 11 - 9. Holden, Rose, Guggenheim, Jackson, Harrington, Erickson, Beck, Harper, Hanson, Gillan and Hibbard voting no; Story, Orr, Schmidt, Dale, Somerville, Rehbein, Davies, Fuchs and Raney voting yes.

{Tape : 3; Side : A; Approx. Time Counter : 11.8}

Vote:

The DO PASS AS AMENDED MOTION PASSED, 20 - 0.

{Tape : 3; Side : A; Approx. Time Counter : 15}

EXECUTIVE ACTION ON HB 638

Motion:

Rep. Somerville MOVED DO PASS.

{Tape : 3; Side : A; Approx. Time Counter : 17.3}

Motion:

Rep. Somerville MOVED the amendments. **EXHIBIT**(tah55a07)

{Tape : 3; Side : A; Approx. Time Counter : 18}

Discussion:

{Tape : 3; Side : A; Approx. Time Counter : 18.7}

Vote:

The motion passed, 20 - 0.

{Tape : 3; Side : B; Approx. Time Counter : 0.1}

Motion/Vote:

Rep. Rehbein MOVED to strike 5% and add 7%. On a voice vote, the MOTION FAILED, 18 - 1. Rehbein voting yes.

{Tape : 3; Side : B; Approx. Time Counter : 4.3}

Motion/Vote:

Rep. Erickson MOVED a conceptual amendment to add "social sciences. On a voice vote, the MOTION FAILED, 16 - 4. Erickson, Beck, Harper and Gillan voting yes.

Vote:

On a voice vote, the DO PASS AS AMENDED MOTION PASSED, 18 - 2. Orr and Raney voting no.

{Tape : 3; Side : B; Approx. Time Counter : 19.2}

EXECUTIVE ACTION ON HB 638

Motion/Vote:

Rep. Guggenheim MOVED to re-open the discussion on HB 638 and reconsider the action taken. The MOTION PASSED.

{Tape : 3; Side : B; Approx. Time Counter : 21.4}

Motion/Vote:

Rep. Guggenheim MOVED the amendments. **EXHIBIT**(tah55a08) On a voice vote, the MOTION FAILED, 16 - 4. Guggenheim, Beck, Harper and Gillan voting yes.

{Tape : 3; Side : B; Approx. Time Counter : 22}

Vote:

On reconsideration, the DO PASS AS AMENDED MOTION PASSED, 18 - 2. Orr and Raney voting no.

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Mary Bryson, Director, Department of Revenue, asked the Committee to consider introduction of a Committee Bill, based on a concern

expressed by the Legislative Audit Division regarding accommodations tax paid by state agencies. **EXHIBIT(tah55a09)**

**EXHIBIT(tah55a10)**

**{Tape : 4; Side : A; Approx. Time Counter : 11.3}**

**Motion/Vote:**

**Rep. Harper MOVED to authorize the bill draft. On a voice vote, the MOTION PASSED, 17 - 3. Orr, Rehbein and Holden voting no.**

**{Tape : 4; Side : A; Approx. Time Counter : 17.5}**

**Adjourn. {Tape : 4; Side : A; Approx. Time Counter : 22}**

**ADJOURNMENT**

Adjournment: 1145 A.M.

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REP. CHASE HIBBARD, Chairman

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DONNA GRACE, Secretary

CH/DG

**EXHIBIT (tah55aad)**